

*File Copy*

SEP. 22 2003 3:01PM

350 792-6773 FOLEY AND LARDNER

NO. 4162 P.

09/424,951

Application No.: 09/424,951  
Filing Date: January 20, 2000  
Response to Office Action (Paper No. 28)  
Page 2 of 7

Attorney Docket No.: 087714/0113

Amendments to the Claims

Please amend claims 1, 14 and 15 as indicated below in the listing of claims. Please cancel claims 3, 13 and 17-19 without prejudice.

Listing of claims

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently amended) An isolated polynucleotide that encodes ~~codes for~~ a protein that is linked to phenotypic switching in *Candida albicans* and that exhibits 70% or greater overall sequence identity to SEQ ID No. 3 hybridizes, under stringent conditions, to the polynucleotide sequence of SEQ ID No. 4, wherein said protein displays kinase activity.

2. (Previously presented) A polynucleotide according to claim 1, comprising the sequence of SEQ ID No. 3.

3. (Cancelled).

4. (Previously presented) A method of screening for a compound with the ability to inhibit expression or functionality of the CaNIK1 protein comprising:

(A) contacting a yeast cell that exhibits phenotypic switching with a test substance, wherein said yeast cell comprises:

- (i) a polynucleotide according to claim 1 and
- (ii) a promoter operably linked to said polynucleotide, such that said yeast cell produces a protein encoded by said polynucleotide; then

(B) monitoring the ability of said test substance to inhibit expression or functionality of said protein encoded by said polynucleotide in said yeast cell.

5. (Previously presented) The method according to claim 4, wherein step (B) comprises monitoring the level of said protein produced in said cell.

SEP. 22, 2003 3:02PM

856 792-6773 FOLEY AND LARDNER

10.4162 R. 12

Application No.: 09/424,951  
Filing Date: January 20, 2000  
Response to Office Action (Paper No. 28)  
Page 3 of 7

Attorney Docket No.: 087714/0113

8. (Previously presented) The method according to claim 4, wherein step (B) comprises monitoring the level of mRNA encoded by said polynucleotide and produced by said cell.

10. (Previously presented) The method according to claim 4, wherein step (B) comprises monitoring the level of kinase activity within said yeast cell, wherein said kinase activity typifies said protein.

12. (Previously presented) The method according to claim 4, wherein a promoter is operably linked to a reporter gene and wherein step (B) comprises monitoring the level of transcription of said reporter gene within said yeast cell.

7. (Previously presented) The method according to claim 5, wherein step (B) comprises effecting a two-dimensional gel electrophoresis.

9. (Previously presented) The method according to claim 5, wherein step (B) comprises effecting a Northern blot, a primer extension, or a ribonuclease protection assay.

11. (Previously presented) The method according to claim 7, wherein step (B) comprises:  
(A) labeling ATP with <sup>32</sup>P in vitro;  
(B) running cellular proteins on a polyacrylamide gel; and  
(C) determining the amount of <sup>32</sup>P labeled protein using autoradiography.

13. (Previously presented) The method according to claim 8, wherein said reporter gene is a luciferase gene and luciferase activity is monitored using a luminometer.

13. (Cancelled).

2. (Currently amended) The polynucleotide of claim 13 that exhibits 80% or greater identity to SEQ ID NO 3.

3. (Currently amended) The polynucleotide of claim 13 that exhibits 90% or greater identity to SEQ ID NO 3.

SEP. 22, 2003 3:02PM 856 792-6773 FOLEV AND LARNER

NO. 4162 F. 13

Attorney Docket No.: 087714/0113

Application No.: 09/424,951  
Filing Date: January 20, 2000  
Response to Office Action (Paper No. 28)  
Page 4 of 7

14. (Previously presented) An isolated polynucleotide encoding the amino acid sequence of SEQ ID. NO 4.

17.-19. (Cancelled).

15. (Previously presented) A culture of a bacterial strain containing the lambda phage λSG15.1.